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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,844	01/23/2002	Takeshi Kai	KPO-108-A	7883

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CARRIER BLACKMAN AND ASSOCIATES
24101 NOVI ROAD
SUITE 100
NOVI, MI 48375

EXAMINER

CULBRETH, ERIC D

ART UNIT PAPER NUMBER

3616

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/055,844	Applicant(s) KAI ET AL.	
	Examiner Eric Culbreth	Art Unit 3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-12 and 20-24 is/are allowed.
- 6) ☒ Claim(s) 13-19 and 25-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 13-19, and 25-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue et al (US Patent 5,785,350, newly cited) in view of Japanese Patent 10-175497 (of record, cited by applicant).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Inoue et al, who teaches Inflator 11 mounted in the side portion of a vehicle seat generating gas in response to a detection signal for a folded airbag expanding linearly forward and upward in Figure 1 from the side portion of a seat, as well as tethers or partitions 29, 30 as broadly recited determining the shape of the air bag during expansion so as to facilitate a high speed expansion to a final shape as broadly and functionally recited, to include an acceleration sensor generating a signal when a lateral acceleration is detected as taught by Japanese '497 (page 3, paragraph [0020] and page 5, paragraph [0032] of the English translation submitted with the reference) in order to conventionally provide the electric signal of Inoue et al at column 6, lines 50-55 (claims 13 and 25). Inoue et al teaches sewing two panels 27, 28 together in Figure 5A-1 along their outer edge, and the outer edge would be in a limb portion as shown in Figure 1, where the bag would extend beside an arm and shoulder as functionally recited (claims 14 and 25). Regarding claims 15-16 and 26, in the

combination Japanese '497 teaches partitions 40 formed by sewing predetermined portions of the side panels forming circles together, and it would have been obvious to form Inoue et al's tethers of portions sewn together as taught by Japanese '497 in order to eliminate parts and materials by making the partitions with sewn together side portions instead of separate cloth strips. Regarding claim 19, Inoue et al's tethers or partitions determine an expansion direction of the air bag as functionally recited (by forcing the bag to expand less in the transverse direction and more in the elongated direction) and the expansion direction is opposed to where the gas enters the bag. In the combination (claims 17-18 and 27-28), Inoue et al, the primary reference, teaches tethers 29, 30 that are linear and shaped differently from each other (tether 30 is wider than tethers 29), and this would be a teaching in the combination to make the sewn together portions linear and of different shape. Regarding claim 29, Inoue et al's tethers 29 are nonsymmetrical with tether 30 (i.e. they are offset laterally), and this would be a teaching in the combination to make Japanese 497's sewn together portions nonsymmetrical.

3. Claims 13, 25, and 30-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kimura et al (US Patent 5,893,579, newly cited) in view of Japanese '497.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kimura et al, who teaches an air bag in Figures 1-2 that is inflated by the illustrated inflator to expand from the side of a seat in a generally

forward and upward direction, and has a medial portion greater in width than the end portion next to the inflator and the end portion at the end distal from the inflator (where the bag has a width smaller than the medial portion due to the curvature at the edges), to include side panels making the bag (Japanese '497, Drawing 5), partitions joining the sides such as Japanese '497's partitions 40, and a lateral acceleration sensor such as taught by Japanese '497 at paragraphs [0020] and [0032] of the provided English translation, in order to conventionally form the bag of panels and conventionally detect side impact for a side air bag and to control the shape of the bag with the partitions or tethers so the bag will not expand undesirably in a transverse direction.

Allowable Subject Matter

4. Claims 1-12 and 20-24 are allowed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Culbreth whose telephone number is 571/272-6668. The examiner can normally be reached on Monday-Thursday, 9:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571/272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Eric Culbreth
Primary Examiner
Art Unit 3616

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